

**LIBELED:** 1-10-62, W. Dist. Tenn.

**CHARGE:** 402(a)(3)—contained rodent urine and rodent excreta pellets; and 402(a)(4)—held under insanitary conditions.

**DISPOSITION:** 3-23-62. Consent—claimed by M. E. Carter & Co., 55-bag lot relabeled for peanut seed; 33-bag lot, segregated; 115 lbs. destroyed.

**27990. Shelled pecans.** (F.D.C. No. 46019. S. Nos. 24-407/8 R, 39-197 R, 49-363/4 R, 67-461 R, 18-489 T.)

**INFORMATION FILED:** 12-29-61, N. Dist. Tex., against Johnnie Ferrantello, t/a Texas Nut Co., Dallas, Tex.

**SHIPPED:** Between 11-11-60 and 11-27-61, from Texas to Arkansas, New Mexico, and Oklahoma.

**LABEL IN PART:** (Pkg.) "WUNDER PAK PECANS ONE FULL POUND [or "Net Wt. 3 Oz."] TEXAS NUT COMPANY, DALLAS, TEXAS," "SIGN POST BRAND PECANS NET WT. 6 OZ. [or "NET WT. 12 OZ."] DISTRIBUTED BY THE FARMER COMPANY POST OFFICE BOX 13666 DALLAS 24, TEXAS," "WUNDER PAK PECANS NET WT. 6 OZ. GEO. WUNDERLICK CO., INC., DALLAS HOUSTON AMARILLO."

**CHARGE:** 402(a)(3)—contained *E. coli*, a microorganism indicative of fecal contamination; and 402(a)(4)—prepared and packed under insanitary conditions.

**PLEA:** Nolo contendere.

**DISPOSITION:** 2-3-62. \$525 fine.

**27991. Shelled pecans.** (F.D.C. No. 46943. S. No. 13-644 T.)

**QUANTITY:** 10 30-lb. boxes, at Chicago, Ill., in possession of Ace Pecan Co.

**SHIPPED:** 12-5-61, from Canton, Miss.

**RESULTS OF INVESTIGATION:** Article shipped in bulk and repacked by the dealer into boxes as described above.

**LIBELED:** 1-25-62, N. Dist. Ill.

**CHARGE:** 402(a)(3)—while held for sale, contained *E. coli*; 402(a)(4)—prepared and packed under insanitary conditions; and 403(e)(1)—the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

**DISPOSITION:** 3-5-62. Consent—claimed by Ace Pecan Co., and reconditioned to be brought into compliance with the law.

**27992. Peanut butter.** (F.D.C. No. 47266. S. No. 18-092 T.)

**QUANTITY:** 205 cases, 12 jars each, at Houston, Tex.

**SHIPPED:** 10-14-61, from Chicago, Ill., by Swift & Co.

**LABEL IN PART:** (Jar) "Swift's Oz Peanut Butter 1 Lb. Net Wt. Contains \* \* \* Mfd. by Swift & Company, Gen. Off. Chicago, Ill." and (band of tape around each jar with ball point pen attached) "Free! Ball Point Pen."

**RESULTS OF INVESTIGATION:** Examination showed that the article bore labels on which the mandatory information was printed in black ink or white ink, with the information printed in black ink being in very small type on a poorly contrasting background, making it difficult to read. The opaque band of tape attaching the pen to the jar obscured the quantity of contents statement on both labels.